

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Darryl Laqwen McNeil

Docket No. 7:02-CR-118-1

Petition for Action on Supervised Release

COMES NOW Chip Williams, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Darryl Laqwen McNeil, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon in violation of 18 U.S.C. 922(g)(1) and 924, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 7, 2003, to the custody of the Bureau of Prisons for a term of 90 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

Darryl Laqwen McNeil was released from custody on May 29, 2009, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 23, 2010, a violation report was submitted advising the court that the defendant had been charged with Driving While Impaired. McNeil was cited on February 27, 2010. On December 9, 2010, the defendant plead guilty to the charge. He was sentenced to 60 days imprisonment, suspended, 12 months unsupervised probation. The defendant has incurred no other violations, fully cooperated with probation, is gainfully employed, and is in a stable domestic relationship. It is recommended the violation be addressed by the imposition of a two (2) day jail sanction. The defendant signed a Waiver of Hearing agreeing to the proposed of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall serve two (2) days in the custody of the Bureau of Prisons as arranged by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Chip Williams
Chip Williams
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: (910) 815-4857
Executed On: February 16, 2011

ORDER OF COURT

Considered and ordered this 17 day of February, 2011, and ordered filed and made a part of the records in the above case.

W. Earl Britt
Senior U.S. District Judge

